

2.3 USE REGULATIONS SCHEDULE

R-1 = Coastal Residential; R-RA and R-RB = Rural Residential; R-2A = Low Density Residential; R-2 = Low/Medium Residential; R-3 = Medium/High Density Residential; R-4 = High Density Residential; S = Service District; CCD = Civic Center District; CB = Central Business; NB = Neighborhood Business; EB = Extensive Business; VB = Village Business; MI = Marine Industrial; GI = General Industrial; BP = Business Park.

2.3.1 RESIDENTIAL USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
1. One-family detached (1)	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	N	N
2. Conversion of one-family dwelling to two family dwelling (1) (Amended 12/8/1998)	N	***	Y	***	***	***	Y	Y	SP	SP	N	SP	N	N	N
3. New two-family dwelling (1)	N	Y	Y	Y	Y	Y	Y	Y	SP	SP	N	SP	N	N	N
4. Multi-family or apartment dwelling (see section 5.7):															
a. Up to six dwelling units	N	N	N	CC	CC	CC	CC	CC	CC	CC	N	CC	N	N	N
b. Seven or more dwelling units	N	N	N	CCS	CCS	CCS	CCS	CCS	CCS	CCS	N	CCS	N	N	N
5. Cluster Development (2) (see section 5.9)	PB	PB	PB	PB	PB	PB	N	N	N	N	N	N	N	N	N

(1) Not more than one principal building per lot.

(2) Subject to approval by the Planning Board (PB) for the Cluster Development in accordance with the requirements of Section 5.9.

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

*** Yes, except SP with issuing authority by the Zoning Board of Appeals required whenever the conversion requires alterations to the exterior dimensions of the existing dwelling. (Amended 12/8/98)

2.3.1 RESIDENTIAL USES (CONT.)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
6. Boarding, lodging, or guest house licensed by the Licensing Board (1)	N	N	N	SPS	SPS	SPS	SPS	SPS	SPS	SPS	N	SPS	SPS	N	N
7. Hotel, motel, motor inn (see Section 5.7)	N	N	N	CCS	CCS	CCS	CCS	CCS	Y(3)	N	Y(3)	Y(3)	N	N	N
8. Mobile home park (2)	N	CCS	CCS	CCS	CCS	CCS	N	N	N	N	N	N	N	N	N
9. Campground (2)	N	CCS	CCS	CCS	CCS	CCS	N	N	N	N	N	N	N	N	N
10. Mobile home, except home park or campground (2)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
11. Camping or tenting, except within a campground or by children in their own yard (2)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
11A. Assisted Living Facilities, three (3) or more units (Adopted 6/20/00)	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	N	N	CCS	N

(1) Not more than one principal building per lot.

(2) See Section 5.1.5 allowing temporary placement during reconstruction after a fire, subject to yard and setback requirements from the Board of Appeals.

(3) But CCS for Major Projects, see Section 5.7.1

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.2 COMMUNITY SERVICE USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
12. Public, religious, or other non-profit schools, building or uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13. Municipal use not elsewhere more specifically covered	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
14. Public utility facility*** a. servicing exclusively the immediate neighborhood (5 square miles or less)	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	CCS	Y	Y
b. Servicing a broader area	N	N	N	N	N	N	N	N	SPS	N	Y	N	Y	Y	Y
15. Nursing home, convalescence or rest home, hospital	N	N	N	CCS	CCS	CCS	CCS	N	N	CCS	N	N	N	N	N
16. Cemetery	CC	CC	CC	CC	CC	CC	CC	N	CC	CC	CC	CC	N	N	N
17. Club or lodge, except one whose chief activity is customarily carried on as a business	N	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CC	CC	CC	CC	CC	N	N

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** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

*** Except for Personal Wireless Service Facilities.

2.3.2 COMMUNITY SERVICE USES (CONT.)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
18. Animal hospital, dog kennel (1)	N	CC	CC	CC	CC	CC	N	N	N	N	N	N	N	CC	SP
19. Nursery school - Day Care Centers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
20. Business or commercial school (other than uses 12, 19 or 25)	N	N	N	N	N	N(2)	N	Y	Y	Y	Y	Y	N	N	N
a. Trade school, industrial training center	N	N	N	N	N	N(2)	N	Y	Y	Y	Y	Y	Y	Y	Y
21. Philanthropic institutions	N	CCS	CCS	CCS	CCS	CCS	CCS	Y	Y	CCS	Y	CCS	CCS	N	CCS
22. Airport, heliport	N	N	N	N	N	N	N	N	N	N	CCS	N	CCS	CCS	CCS

(1) Provided that lot area is of sufficient size to permit a structure or pen to be placed no closer than 100 feet from a lot line and no closer than 200 feet from a dwelling on another lot.

(2) Except CCS in S District only.

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.3 OPEN USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
23. Agriculture, horticulture, floriculture, including farms, greenhouses and gardens (1)	Y	Y	Y	Y	Y	Y	Y	N(3)	N(3)	Y	Y	Y	N(3)	N(3)	N(3)
24. Wildlife area, reservation or similar use	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	N	N	N	Y
25. Riding school, stable (2)	CC	CC	CC	CC	CC	CC	N	N	N	N	N	N	N	N	N
26. Golf driving range, drive-in theater, amusement park, race track or similar commercial outdoor recreation	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N
a. Miniature golf and baseball or softball batting cages	N	N	N	N	N	N	SP	SP	N	N	N	N	N	N	N
27. Golf course, standard or par-three	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N
28. Commercial picnic or outing area	N	SP	SP	SP	SP	SP	N	N	N	N	N	N	N	N	N

(1) Providing there is no sale of products, which are not produced on the premises.

(2) Provided that no structure is placed closer than 100 feet from a lot line and no closer than 200 feet from a dwelling on another lot.

(3) Except not prohibited on lots larger than five acres.

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** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.3 OPEN USES (CONT.)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
29. Boat launching, docking or docking structures, limited in MI Districts to primarily commercial fishing vessels (2)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
30. Supervised camping	N	SPS	SPS	SPS	SPS	SPS	N	N	N	N	N	N	N	N	N
31. Outdoor recreation other than the above (1)															
a. Recreation operated by a governmental agency or Authority	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N
b. Other outdoor recreation	CC	CC	CC	CC	CC	CC	CC	CC	Y	Y	Y	Y	Y	N	N
32. Seasonal sale of Christmas trees, wreaths	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

(1) No active use area may be located within required yards, or within 10 feet of a lot line other than the water's edge.

(2) Permitted Use Area for Operation and Docking of Casino Boats: On the City Assessor's Map in the north channel of the Harbor moving easterly, Map 10, Lot 5; Map 11, Lots 6, 5, 4, 1; Map 53, Lots 3, 4. A Casino ship does not include a "Cruise Ship". (Adopted 7/6/99)

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.4 BUSINESS USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
34. Conversion of dwelling for up to four offices (1)	N	N	N	N	N	N(2)	SPS	Y	Y	Y	Y	Y	N	Y	N
35. Banks, automatic teller machines	N	N	N	N	N	N	SPS	Y	Y	Y	Y	Y	CC	Y	Y
36. Other offices containing less than 6,000 s.f. of floor area	N	N	N	N	N	N(2,3)	SPS	SPS(3)	Y	Y	Y	Y	Y	Y	Y
37. Office other than the above	N	N	N	N	N	N	N	SPS	Y	N	Y	N	Y	Y	Y
38. Funeral home	N	N	N	N	N	N	SPS	Y	SPS	SPS	SPS	SPS	N	N	N
39. Restaurant (4)	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	CCS	Y	Y
40. Motor vehicle sales, rental (1)	N	N	N	N	N	N	N	N	Y	N	Y	N	CCS	Y	Y

(1) See Section 3.3

(2) Except CCS in S District only.

(3) Special Permit to expire on change of use or ownership.

(4) Except SPS where otherwise Y, if food is to be consumed on the premises outside of a building, or is to be sold packaged for take-out except where this take-out is incidental to service for on-premises consumption.

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** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.4 BUSINESS USES (CONT.)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
41. Marine related sales, rental, limited primarily in MI Districts to commercial vessels	N	N	N	N	N	N	N	N	Y	N	Y	N	Y	Y	Y
41A. Protein Recovery Plant	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS
42. Motor vehicle service storage or repair (1)	N	N	N	N	N	N	N	N	CC	CC	CC	CC	CC	SP	N
43. Marine related service storage, or repair, limited in MI Districts primarily to commercial fishing vessels	N	N	N	N	N	N	N	N	CC	CC	CC	CC	CC	SP	N
44. Building tradesman or contractor, without outdoor storage of materials or heavy equipment	N	N	N	N	N	N	N	N	Y	Y	Y	CC	CC	Y	Y
45. Fuel, ice establishments	N	N	N	N	N	N	N	N	N	N	CC	N	CC	Y	N
46. Feed, building materials establishments	N	N	N	N	N	N	N	N	Y	Y	Y	CC	Y	Y	Y

(1) See Section 3.3

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** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.4 BUSINESS USES (CONT.)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
47. Laundry, laundromat or dry cleaning establishment under 4,000 sq ft	N	N	N	N	N	N	N	N	CC	Y	Y	Y	N	N	N
48. Stone mason's yard	N	N	N	N	N	N	N	N	N	N	CC	N	CC	Y	N
49. Shopping Center (See Sections 3.2.2 and 5.7)	N	N	N	N	N	N	N	N	CCS	N	CCS	N	CCS	N	N
50. Retail, consumer service, or other business non-industrial use other than above (1)	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y(2)	Y(3)
51. Automatic amusement devices	N	N	N	N	N	N	N	N	Y	N	N	CC	N	N	N

(1) If a business use contains both a retail and a consumer service operation, the use shall be classified, for the purpose of this Ordinance, as a consumer service establishment.

(2) In the GI District, retail uses are allowed only by Special Permit (SP) from the Board of Appeals, except that they are allowed as-of-right if they are: (Amended 6/1/93)

- (a) related to an industrial, manufacturing, or wholesaling use located on the same lot or on a contiguous lot; or
- (b) located on lots that have frontage on an arterial street.

(3) In the BP District, retail uses are prohibited, except when they are incidental to an industrial, manufacturing, or wholesaling use.

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.5 INDUSTRIAL USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
52. Junk yard	N	N	N	N	N	N	N	N	N	N	CC	N	N	CC	N
53. Earth products and stone removal (1)	N	N	N	CC	CC	CC	N	N	N	N	CC	N	N	CC	N
54. Manufacturing, processing or research, conducted so that the performance criteria of Section 4.4 are conformed to	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y
55. Trailer truck park, freight or transportation terminal facilities (see Section 5.8)	N	N	N	N	N	N	N	N	N	N	N	N	CCS	CCS	CCS
56. Processing and cooling, not conforming with the criteria of Section 4.4	N	N	N	N	N	N	N	N	N	N	N	N	Y	CCS	N
57. Bulk storage, warehousing	N	N	N	N	N	N	N	N	N	N	Y(2)	N	Y(2)	Y(2)	Y(2)
58. Laundry or dry cleaning plant over 4,000 square feet	N	N	N	N	N	N	N	N	N	N	CC	N	N	Y	N
59. Commercial radio transmission	N	N	N	N	N	N	N	N	N	N	SP	N	SP	SP	SP
60. Contractor's yard	N	N	N	N	N	N	N	N	N	N	CC	N	Y	Y	N

(1) See Section 5.2

(2) Storage of toxic or hazardous materials shall be permitted only by CCS.

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** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance

2.3.6 OTHER PRINCIPAL USES

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
61. Parking of motor vehicles to service a use permitted in the same district	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC
62. Temporary structures and temporary uses not conforming to this Ordinance	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
63. Arts, crafts and sale of products of arts or crafts if made on the premises	N	CC	CC	CC	CC	CC	CC	CC	Y	Y	Y	Y	Y	Y	Y
64. Radio transmission, non-commercial	N	N	N	N	N	N	N	N	N	N	N	N	SP	SP	SP

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2.3.7 ACCESSORY USES (1)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
65. Garage, parking, for permitted use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
66. Parking to service a use located and permitted in the NB (B-2) District	N	N	N	CCS	CCS	CCS	CCS	CCS	Y	Y	Y	N	Y	N	N
67. Parking, storage of agriculture machinery used on the premises	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
68. Signs, subject to Section 4.3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
69. Manufacturing accessory to retailing, employing not more than ten persons, with major portion of products sold on premises	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y(2)	Y(2)	Y(2)
70. Employee dwelling accessory to industry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y

(1) Principal uses allowed, or permitted by Special Permit, are similarly permitted as accessory uses, subject to the same restrictions. Customary accessory uses other than those listed in this Section 2.3.7 shall be allowed only by Special Permit from the Board of Appeals.

(2) In the BP, MI and GI Districts, the number of persons that may be employed by a manufacturing operation accessory to retailing is not limited. (Amended 6/1/93)

* No use of the water's edge and of an area at ground level 20 feet back from the water's edge shall be permitted on property in a MI District unless it requires access to water-borne vessels.

** All uses permitted in the BP District shall conform to the standards described in Section 5.12 of this Ordinance.

2.3.7 ACCESSORY USES (CONT.) (1)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
71. Offices for one professional in his/her residence, subject to Section 5.3	SP	SP	SP	N	N	SP	SP	Y	Y	Y	Y	Y	Y	N	N
72. Home occupation, subject to Section 5.3	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Y	SP	N	N
73. Boarders, roomers or lodgers (2)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
74. Dining halls, shops, wholly within a motel or hotel	N	N	N	CCS	CCS	CCS	CCS	CCS	Y	Y	Y	Y	N	N	N
75. Automatic amusement device, limited to four or fewer	N	N	N	N	N	N	N	N	SP	N	N	SP	N	N	N

(1) Principal uses allowed, or permitted by Special Permit, are similarly permitted as accessory uses, subject to the same restrictions. Customary accessory uses other than those listed in Section 2.3.7 shall be allowed only by Special Permit from the Board of Appeals.

(2) Within a dwelling unit in R-4 and non-residential districts, and in dwelling units of more than 2,000 square feet of gross floor area in other R Districts, the renting of not more than three rooms as a lodging without separate cooking facilities to not more than three lodgers, boarders or roomers; in the case of a dwelling unit occupied by unrelated persons, the sum of lodgers and other unrelated persons shall not exceed the limits defined for a "Family" in Section VI.

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2.3.7 ACCESSORY USES (CONT.) (1)

	R-1	R-RA	R-RB	R-2A	R-2	R-3, S	R-4	CCD	CB	NB	EB	VB	MI*	GI	BP**
76. Recreational use accessory to a dwelling for use of residents and nonpaying guests	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
77. Wind energy conversion devices (2)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	SP	SP
78. Yard sales (3)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N

(1) Principal uses allowed, or permitted by Special Permit, are similarly permitted as accessory uses, subject to the same restrictions. Customary accessory uses other than those listed in Section 2.3.7 shall be allowed only by Special Permit from the Board of Appeals.

(2) Wind energy conversion devices shall be set back from every property line by a distance equal to its height as measured to the highest tip of the blades, except when a "fall area" easement has been obtained from the appropriate abutters, not including any private or public ways or other areas open to public use; the device shall be protected by appropriate fencing to a height of six feet; and anti-climbing devices shall be located on the tower as may be approved by the Building Inspector.

(3) No yard sale shall last more than two days, including set-up and take-down time. No premises shall be used for a yard sale more than two times in any calendar year.

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2.3.8 USES PROHIBITED IN ALL DISTRICTS

79. Any building or use not expressly permitted by this Ordinance.

80. A building or use, whether or not otherwise permitted, which in the opinion of the Building Inspector may create a hazard to safety or health.

81. Billboards.